

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
District of New Mexico

FILED
United States District Court
Albuquerque, New Mexico
Mitchell R. Elfers
Clerk of Court

United States of America
v.
Joseph BRESCH

Case No. **21 MJ 1603**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

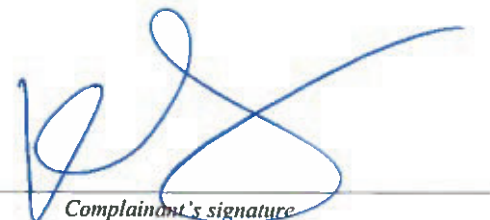
On or about the date(s) of October 12, 2021 in the county of San Juan in the
District of New Mexico, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 18 U.S.C. § 922(g)(1)	Felon in possession of a firearm or ammunition

This criminal complaint is based on these facts:

See attachement

☒ Continued on the attached sheet.



Complainant's signature

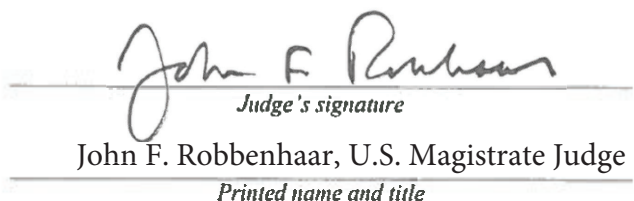
Katie M. Stamper - ATF Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 10/27/2021

City and state: Albuquerque, New Mexico



Judge's signature
John F. Robbenhaar, U.S. Magistrate Judge

Printed name and title

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United States of America

V.

Joseph BRESCH

SSN: 8050

1. Katie M. Stamper, a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), being duly sworn, deposes and states:
2. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). I have been employed with ATF since March of 2020. I am an investigative, or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), in that I am an officer of the United States who is empowered by law to conduct investigations and make arrests for the offenses enumerated in Title 18, 21, and 26, United States Code.
3. Through the ATF, I have received specialized training in the enforcement of federal firearms, explosives, and arson laws. My training as an ATF Special Agent includes but is not limited to: (1) the debriefing of defendants, witnesses and informants, as well as others who have knowledge of the purchase, possession, distribution, and transportation of firearms and of the laundering and concealment of proceeds of firearms and drug trafficking; (2) surveillance; (3) analysis and processing of documentary, electronic, and physical evidence; (4) the legal and illegal purchase of firearms; (5) the execution of arrest and search warrants seeking firearms, narcotics, and DNA.
4. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

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PROBABLE CAUSE

5. On July 11, 2021, M. B. advised Bloomfield Police Department (BPD) that she has purchased seven (8) firearms in Bloomfield, NM, one for herself and seven (7) for her boyfriend, Joseph BRESCH. She also stated to BPD that Joseph BRESCH is a convicted felon out of Nevada for the felony offense of child abuse.
6. On July 27, 2021, an employee with BIG R, a federal firearms licensee in Bloomfield, New Mexico, advised your affiant that Joseph BRESCH had been seen open carrying a Glock 17 pistol within the interior of the store. The employees also stated to your affiant that Joseph BRESCH and Michelle Bresch have frequented the store to purchase firearms. The employees informed your affiant that between June 14 and July 7, 2021, Michelle Bresch purchased eight (8) firearms from the store.
7. On October 12, 2021, Michelle Bresch purchased a 9mm handgun from Sportsman Warehouse in Farmington, New Mexico. TFO Jacob Courtney saw Michelle Bresch on surveillance footage looking at firearms then leaving the store to speak to a male inside a late 90s model dark blue sedan. Your affiant saw this same dark blue sedan parked at the residence of Michelle Bresch and Joseph BRESCH on multiple occasions. After Michelle Bresch went back inside the store, TFO Courtney saw on surveillance footage a male entering the store. The male was identified by your affiant to be Joseph BRESCH. Your affiant additionally saw Joseph BRESCH on surveillance footage enter the store with a small boy and carrying an infant child in his arms.
8. Your affiant then saw on the surveillance video Joseph BRESCH meet Michelle Bresch at the check-out counter after she had purchased a 9mm handgun. Joseph BRESCH then purchased two boxes of 9mm ammunition. During the course of the transaction, Joseph BRESCH shows the cashier his driver's license to show proof of his age. Joseph BRESCH then paid cash for the ammunition. The ammunition was placed inside of a white plastic bag. Your affiant saw on surveillance footage Joseph BRESCH, Michelle Bresch, the small boy, and the infant leave the store.
9. The Sportsman Warehouse where BRESCH purchased the ammunition provided your affiant with a receipt showing that on October 12, 2021, at 1:09pm that two (2) boxes of Ammo INC, 9mm 124 GR were sold as described above.
10. Your affiant identified the ammunition to be manufactured by Ammo INC is which is located outside of the state of New Mexico therefore affecting interstate commerce.

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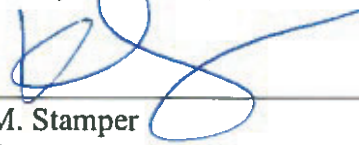
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11. Your affiant queried Joseph BRESCH through the Interstate Identification Index (III) and determined that Joseph BRESCH was convicted of a Category B Felony, Child Abuse, in the State of Nevada in cause number C-13-289383-1.
12. Based upon these facts, I believe that there is probable cause to believe that Joseph BRESCH has committed the crime of 18 U.S.C. §§ 922(g)(1) and 924, that being a felon in possession of ammunition.

Respectfully submitted,



Katie M. Stamper
Special Agent
ATF

Subscribed and sworn to before me by reasonable electronic means,
on October 27, 2021:



UNITED STATES MAGISTRATE JUDGE